

Application Serial No. 10/648,176
Reply to Office Action of December 9, 2005

REMARKS

The application has been reviewed in light of the Final Office Action mailed on December 9, 2005. Claims 1-28 are currently pending in the application, with Claims 1, 9, 15, 20, 25 and 27 being in independent form. By the present amendment, independent Claims 1, 9, 15, 20, 25 and 27 have been amended. No new matter is introduced into the claims by the amendments. In view of the amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Rejection of Claims 15-28 under 35 U.S.C. § 102

Claims 15-28 were rejected under 35 U.S.C. § 102(a) as being unpatentable over Yoshida (EP 0 335 656 A1). Independent Claims 15, 20, 25 and 27 have been amended in a manner which is believed to overcome the rejection.

Yoshida is directed to an automatic focus control apparatus comprising zoom lens 2; image pick-up means (i.e., image pick-up element 3, pre-amplifying circuit 4, signal processing circuit 5, and matrix circuit 6) for picking up an image of an object by means of zoom lens 2; amplitude value detecting means (i.e., band-pass filter circuits 7A, 7B, 7C, detecting circuits 8A, 8B, and 8C, selector switch 9 and A/D converter 12) for detecting the amplitude value of the color signals SB, SG and SR derived from the image pick-up means; and auto-focus control circuit 10. See column 3, lines 51-60 and FIG. 2.

Yoshida states that the amplitude values of the colour signals SB, SG and SR *change* not only with the position of the zoom lens 2 but also with the hue of the object. According to Yoshida, the "auto-focus control circuit 10 is operative to compare the normalized amplitude values with respect to the respective colour signals SB, SG and SR, and feeds a control signal S_{C2} to a focus position control circuit 15 on the basis of the compared result

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thereof, thereby controlling the focus of the zoom lens 2. With reference to FIG. 5, Yoshida describes "a table representing the output characteristics in which the normalized amplitude values SB', SG' and SR' of the respective colour signals SB, SG and SR are illustrated in sequential relative level orders, *that decrease in the order I, II and III.*" See column 4, lines 12-24. Yoshida explains that the position of the zoom lens 2 determines which normalized amplitude value(s) derived from the respective colour signals SB, SG and SR are *caused to increase or decrease in order to determine in which direction to move the zoom lens 2.* See column 4, line 26 to column 5, line 13. As shown by FIG. 5, at any given position of zoom lens 2, one of the three normalized amplitude values is different from the other two normalized amplitude values.

It is respectfully submitted that the present invention as claimed is patentably distinct over Yoshida. In particular, with respect to independent Claim 15, Yoshida does not disclose or suggest "said analysis is performed while maintaining amplitude values respectively corresponding to a first, a second and a third wavelength component of the at least one wavelength component at substantially the same value," as recited by Applicants' independent Claim 15.

Accordingly, independent Claim 15 is believed to be patentably distinct over Yoshida. Therefore, reconsideration and withdrawal of the rejection is respectfully requested and allowance of the claim is earnestly solicited.

With respect to independent Claims 20 and 25, it is respectfully submitted that Claims 20 and 25 include similar limitations as independent Claim 15. Therefore, for at least the same reasons given above for independent Claim 15, it is respectfully submitted that independent Claims 20 and 25 are also believed to be patentably distinct over Yoshida.

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Applicants' independent Claim 27 recites a method for determining a focus discriminator for a focusing system having at least the step of "performing an analysis by subtracting a value indicative of the parameter of the first wavelength component from a stored value corresponding to the first wavelength component, or subtracting the stored value corresponding to the first wavelength component from the value indicative of the parameter of the first wavelength component to obtain a difference...." (Emphasis added)

Yoshida does not disclose or suggest subtracting a value indicative of a parameter of a first wavelength component or colour signal from a stored value corresponding to the *same* or first wavelength component or colour signal. Also, Yoshida does not disclose or suggest subtracting a stored value corresponding to a first wavelength component or colour signal from a value indicative of a parameter of the *same* or first wavelength component or colour signal to obtain a difference. Yoshida discloses determining whether one signal is greater than another signal (which the Examiner states in the Office Action is analogous to subtracting), where the signals correspond to *different* wavelength components or colour signals. Accordingly, Applicants' recitations set forth by independent Claim 27 are patentably distinct over the disclosure of Yoshida.

Accordingly, reconsideration and withdrawal of the rejection is respectfully requested and allowance of independent Claims 15, 20, 25 and 27 is earnestly solicited.

Dependent Claims 16-19, 21-24, 26 and 28 depend directly or indirectly from independent Claims 15, 20, 25 and 27, and are therefore patentable for at least the reasons given above for independent Claims 15, 20, 25 and 27. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested and allowance of the dependent claims is earnestly solicited.

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Rejection of Claims 1-14 under 35 U.S.C. § 103

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshida. It is respectfully submitted that the present invention as disclosed and claimed is patentably distinguishable over Yoshida.

With regards to independent Claims 1 and 9, it is respectfully submitted that independent Claims 1 and 9 are patentable over Yoshida. Independent Claims 1 and 9 have been amended to recite similar recitations as independent Claim 15 discussed above. In particular, Claims 1 and 9 recite "wherein said analysis is performed while maintaining amplitude values respectively corresponding to a first, a second and a third wavelength component of the at least one wavelength component at substantially the same value." As discussed above, Yoshida does not disclose or suggest these recitations. Therefore, reconsideration and withdrawal of the rejection is respectfully requested and allowance of independent Claims 1 and 9 is earnestly solicited.

Dependent Claims 1-8 and 10-14 depend directly or indirectly from independent Claims 1 and 9, and are therefore patentable for at least the reasons given above for independent Claims 1 and 9. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested and allowance of the dependent claims is earnestly solicited

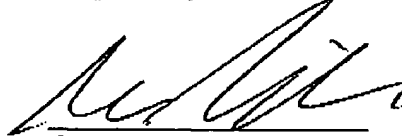
Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that none of the references of record, considered individually or in combination, in whole or in part, disclose or suggest the claimed subject matter. Therefore, all claims now pending in this application, namely, Claims 1-28, are now in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested.

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Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, he is respectfully requested to contact Applicants' undersigned attorney at the telephone number indicated below.

Respectfully Submitted,



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